IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.K.MOHANAN

MONDAY, THE 24TH DECEMBER 2007 / 3RD POUSHA 1929

Bail Appl..No. 7943 of 2007()

(C.C.NO.352/2006 OF JFMC NO.3.,THRISSUR)

PETITIONERS/ACCUSED:

1. **GAFOOR K.M.,S/O.MOIDEEN, AGED 30 YEARS KARADEN HOUSE, VETTINGAPPADAM DESOM, VARANTHARAPILLY VILLAGE,VELUPPADAM, THRISSUR DISTRICT.**

2. **E.P.BINU,S/O.PAILY,AGED 31 YEARS ELAVATHINGAL HOUSE,VELUPPADAM POUND MUKUNDAPURAM TALUK, THRISSUR DISTRICT.**

BY ADV. SRI.A.C.DEVY
SRI.K.D.BABU

RESPONDENT: COMPLAINANT:

SATE OF KERALA
REP. BY PUBLIC PROSECUTOR
HIGH COURT OF KRALA ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. AMJAD ALI

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24/12/2007,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

KSS

V.K.MOHANAN, J.

Bail Application No.7943 of 2007

Dated this the 24th day of December, 2007

O R D E R

In this Petition filed under Sec.438 Cr.P.C. the petitioners who are the accused in C.C.No.352/2006 on the file of JFCM-III, Thrissur for the offence punishable under Sections 143, 147 read with Section 149 IPC and 20 and 27 of Arms Act, seeks anticipatory Bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case involving such grave offence. It is too early to accept the petitioners contention that the petitioners have been falsely implicated. There is no reason why the petitioners should not surrender before the magistrate concerned and seek regular bail. Accordingly, If the petitioners surrender before the Magistrate concerned within two weeks from today and files an application for regular bail, the same shall be considered and disposed of preferably on the same day on which it is filed bearing in mind the decision in **Sukumari v. State of Kerala -(2001 (1) KLT 22).**

With the above observation, this Application is disposed of.

V.K.MOHANAN, JUDGE

csl